

REMARKS

I. Summary of the Office Action

Claims 1-54 were pending in the above-identified patent application.

Claims 4, 5, 26, 34, 53, and 54 were objected to as being dependent upon rejected base claims, but were indicated to be allowable if rewritten in independent form to include all the limitations of the base claims and any intervening claims (Office Action, p. 14).

Claims 1 and 3 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention (Office Action, p. 2).

Claims 1, 3, 6-9, 15, 18-22, 25, 27-31, 33, 35-38, 46, and 49-52 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Pyo U.S. Patent No. 6,636,836 (“Pyo”) (Office Action, p. 3). Claims 10-14, 16-17, 39-45, and 47-48 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Pyo in view of Reese U.S. Patent No. 6,236,980 (“Reese”) (Office Action, p. 9). Claims 2, 23-24, and 32 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Pyo in view of Reese and further in view of Bieganski et al. U.S. Patent No. 6,334,127 (“Bieganski”) (Office Action, p. 13).

II. Summary of Applicants’ Reply

Applicants appreciate the Examiner’s indication that claims 4, 5, 26, 34, 53, and 54 would be allowable if rewritten in independent form.

In the January 24, 2006 Reply to Final Office Action (“previous Reply”), applicants traversed the Examiner’s rejection of claims 1-3, 6-11, 14-25, 27-33, 35-42, and 45-52 under section 102 as being anticipated by Oliver et al. U.S. Patent No. 6,845,374 (“Oliver”).

Inadvertently, applicants’ previous Reply did not specifically address the features of independent

claim 27. However, the reasoning provided in applicants' previous Reply, and in particular the failure of Oliver to show or suggest a "weighting value" for a producer module, is also applicable to applicants' independent claim 27. Accordingly, applicants respectfully submit that, in addition to independent claims 1, 22, and 31, independent claim 27 is also patentable over Oliver.

Applicants have amended claim 3 to facilitate prosecution in response to the Examiner's rejection of the claim for insufficient antecedent basis. Applicants have amended claim 27 to more particularly point out and distinctly claim the subject matter which applicants regard as the invention.

The Examiner's claim rejections are respectfully traversed.

III. The Section 112 Rejections

The Examiner has rejected claims 1 and 3 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention (Office Action, p. 2).

With regard to claim 1, the Examiner asserts that there is insufficient antecedent basis for "a list of survived recommendations that are transmitted" in line 14 of the claim. Applicants respectfully disagree, and submit that "a list of survived recommendations" as referred to by the Examiner is the first recitation of this claimed feature, and therefore it follows that there is no lack of clarity in applicants' recitation of this feature in line 14 of claim 1. Accordingly, the Examiner's rejection of claim 1 under section 112, second paragraph, should be withdrawn.

With regard to claim 3, the Examiner asserts that there is insufficient antecedent basis for "the likelihood" in line 5 of the claim. Applicants respectfully disagree, and submit that the scope of claim 3 would be reasonably ascertainable by those skilled in the art. *See Ex Parte*

Porter, 25 U.S.P.Q.2d 1144, 1146 (Bd. Pat. App. & Inter. 1992); *see also* MPEP § 2173.05(e).

However, to facilitate prosecution of this application, applicants have amended claim 3 to recite “a likelihood,” and therefore the Examiner’s rejection of the claim under section 112, second paragraph, should be withdrawn.

IV. The Section 102 Rejections

Applicants’ independent claims 1, 22, 27, and 31 generally relate to transmitting recommendations (claims 1, 27, and 31) or delivering objects identified in recommendations (claim 22) to a requester system.

As claimed, producer modules each produce recommendations, the recommendations each including a “confidence level.” As set forth in applicants’ specification, for example, and as described in applicants’ previous Reply (pp. 17-18), a “confidence level” is “indicative of the degree of trust or assurance that the particular object satisfies some established criteria” (p. 13, ll. 8-9). This confidence level is modified based on a “weighting value,” and recommendations are selected. As recited in claims 1, 27, and 31, the modified confidence level is used as a basis for selecting one or more recommendations from the list of recommendations. The selected recommendations (claims 1, 27, and 31), or the objects identified by the recommendations (claim 22), are transmitted or delivered to the requester system. Thus, as claimed, confidence levels are provided with lists of recommendation, the confidence levels are modified by a weighting value, and recommendations are selected from the list of recommendations.

The Examiner contends that applicants’ claims 1, 22, 27, and 31, as described above, are anticipated by Pyo. Applicants respectfully disagree, and submit that Pyo does not show or suggest all the features of applicants’ claims 1, 22, 27, and 31.

In particular, Pyo does not show or suggest at least the modification of a “confidence level” as described above. Rather, the only modification performed by the system of Pyo is of an “influential power,” which is not applicants’ claimed “confidence level.”

Pyo discloses three different values associated with its system of software components: an influential power, a predicted score, and a corresponding belief. The “influential power” is related to a particular recommendation agent and is disclosed as “the information denoting how properly a corresponding recommendation agent has made recommendations to a corresponding user” (Pyo, col. 4, ll. 60-63). As shown in FIG. 3, the influential power for each recommendation agent is stored at the user agent.

The other values disclosed in Pyo—“predicted score” and “corresponding belief”—are both provided by a particular recommendation agent in conjunction with a list of recommended items (Pyo, col. 5, ll. 43-45). The “predicted score” is disclosed as “numerical value information predicted about the degree of user’s preference for the item recommended by the corresponding recommendation agent 42” (Pyo, col. 5, ll. 45-48). The “corresponding belief” is disclosed as “numerical value information representing the confidence of the corresponding recommendation agent 42 in the corresponding predicted score” (Pyo, col. 5, ll. 48-50).

In Pyo, the only value disclosed as being modified by the system is the “influential power,” which is modified by the recommendation manager based on the degree of user satisfaction in the recommendations of a particular recommendation agent (Pyo, col. 5, ll. 3-7). Pyo provides no showing or suggestion of modifying any other values in the software system, and in particular provides no showing or suggestion to modify either the “predicted score” or the “corresponding belief” provided by a recommendation agent.

In connection with the contention that Pyo discloses modification of applicants' claimed "confidence level," the Examiner refers to column 5, line 43 to column 6, line 27 of Pyo (Office Action, p. 4). However, the only adjustment or modification discussed in the portion of Pyo cited by the Examiner is of "influential power": "the value of the influential power is adjusted to a lower value to impose the penalty" (Pyo, col. 6, ll. 16-17). There is no showing or suggestion in the cited portion of Pyo, or in any other portion of the disclosure, that either the "predicted score" or "corresponding belief" are modified by the system of Pyo.

Thus, at least because Pyo fails to show or suggest modification of a "confidence level" as claimed, applicants' independent claims 1, 22, 27, and 31 are not anticipated by Pyo, and the Examiner's rejections of the claims under section 102 should be withdrawn. In addition, dependent claims 2-21, 23-26, 28-30, and 32-54 are allowable at least because independent claims 1, 22, 27, and 31 are allowable. Thus, the Examiner's rejections of these claims are moot and should also be withdrawn.

V. Conclusion

The foregoing demonstrates that claims 1-54 are patentable. This application is therefore in condition for allowance. Reconsideration and prompt allowance are accordingly respectfully requested.


VI. Authorization

The Director is hereby authorized to charge any additional fees which may be required for this Reply, or credit any overpayment, to Deposit Account No. 08-0219.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Director is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. 08-0219.

Respectfully submitted,
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